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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JEREMY ALLEN CROZIER,  
#77906

Plaintiff,

vs.

JAMES GIBBONS, *et al.*,

Defendants.

3:10-cv-00371-HDM-RAM

**ORDER**

Plaintiff has submitted a *pro se* civil rights complaint. On September 1, 2010, the court granted plaintiff's application to proceed *in forma pauperis* (docket #3). Based on the information regarding plaintiff's financial status in that application, the court directed plaintiff to pay an initial installment of the filing fee pursuant to 28 U.S.C. §1915.

On September 17, 2010, plaintiff filed a motion to file amended complaint without prepayment of initial installment fee (docket #4). Plaintiff attached to the motion his institutional account statement dated August 31, 2010, indicating that the balance is \$ .37, which is insufficient to pay an initial installment of the filing fee. Accordingly, plaintiff's motion is granted.

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1 Plaintiff will not be required to pay an initial installment of the filing fee. The entire \$350  
2 filing fee will, however, remain due from plaintiff, and the institution where plaintiff is incarcerated will  
3 collect money toward the payment of the full filing fee when plaintiff's institutional account has a  
4 sufficient balance, pursuant to 28 U.S.C. §1915. Further, the entire \$350 filing fee will remain due and  
5 payable, and will be collected from plaintiff's institutional account, regardless of the outcome of this  
6 action.

7 **IT IS THEREFORE ORDERED** that plaintiff's motion to file amended complaint  
8 without prepayment of initial installment (docket #4) is **GRANTED**. Plaintiff Jeremy Allen Crozier,  
9 **Inmate No. 77906**, will be permitted to maintain this action to conclusion without prepayment of any  
10 portion of the filing fee. Plaintiff will not be required to pay fees or costs, other than the filing fee, or  
11 give security therefor. This Order granting *in forma pauperis* status shall not extend to the issuance and  
12 service of subpoenas at government expense.

13 **IT IS FURTHER ORDERED** that, even if this action is dismissed, or is otherwise  
14 unsuccessful, the full filing fee shall still be due, pursuant to 28 U.S.C. §1915, as amended by the  
15 Prisoner Litigation Reform Act of 1996.

16 **IT IS FURTHER ORDERED** that, pursuant to 28 U.S.C. §1915, as amended by the  
17 Prisoner Litigation Reform Act of 1996, the Nevada Department of Corrections shall pay the Clerk of  
18 the United States District Court, District of Nevada, 20% of the preceding month's deposits to plaintiff's  
19 account (in months that the account exceeds \$10.00), until the full \$350 filing fee has been paid for this  
20 action. **The Clerk shall send a copy of this order to Albert G. Peralta, Chief of Inmate Services,**  
21 **Nevada Department of Prisons, P.O. Box 7011, Carson City, NV 89702.**

22 DATED: September 22, 2010.

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25 UNITED STATES MAGISTRATE JUDGE  
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